

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

RED BARN MOTORS, INC., PLATINUM  
MOTORS, INC., and MATTINGLY AUTO  
SALES, INC.,

Plaintiffs,

vs.

NEXTGEAR CAPITAL, INC., f/k/a/ DEALER  
SERVICES CORPORATION INC.

Defendant.

CASE NO. 1:14-cv-01589-TWP-DML

**PLAINTIFFS' RESPONSE TO NEXTGEAR CAPITAL, INC.'S  
MOTION FOR TELEPHONIC STATUS CONFERENCE**

Plaintiffs, Red Barn Motors, Inc., Platinum Motors, Inc., and Mattingly Auto Sales, Inc., individually, and on behalf of other members of the general public similarly situated (collectively, "Plaintiffs"), hereby respectfully submit this brief response to the Motion for Telephonic Status Conference filed by NextGear Capital, Inc. ("NextGear") [Dkt. 278].

Plaintiffs have no objection to NextGear's request for a telephonic status conference. Plaintiffs respectfully submit that their statement of position was made in good faith and the parties have legitimate differences of opinion as to the issues raised in their respective statements. If a status conference would assist the Court in resolving the issues raised therein, Plaintiffs would welcome the opportunity to participate.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 29th day of March, 2019, a copy of the foregoing was filed electronically. Notice of the filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

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